

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

| | | |
|-----------------------|---|---------------------------------|
| DEPAUW UNIVERSITY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CAUSE NO.: 2:05-cv-0249-RLY-WGH |
| |) | |
| HENNESSEE GROUP, LLC, |) | |
| CHARLES GRADANTE and |) | |
| E. LEE HENNESSEE, |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS' MOTION FOR ENTRY OF AN ORDER
GRANTING ATTORNEYS LEAVE TO APPEAR *PRO HAC VICE***

Pursuant to S.D. Ind. L.R. 83.5(c), Defendants Hennessee Group, Charles Gradante and E. Lee Hennessee ("Defendants"), by their attorneys, respectfully request entry of an Order granting Bennett Falk, Brian Amery and Matthew Wolper leave to appear *pro hac vice* as additional attorneys for Defendants in this case. In support of this motion Defendants state:

1. Bennett Falk and Brian Amery are members of the law firm of Bressler, Amery & Ross, P.C., which has its main office at 325 Columbia Turnpike, Florham Park, New Jersey 07932; telephone (973) 514-1200. Mr. Amery is a member in the firm's New Jersey and New York offices. Mr. Falk is a member in the firm Florida office located at 2801 SW 149th Street, Suite 300, Miramar, Florida 33027; telephone (954) 499-7979. Matthew Wolper is an associate in the firm's Florida office.

2. Mr. Falk is admitted to practice and is a member in good standing of the bars of the States of Florida and New York. Mr. Falk was admitted to practice law in New York in 1969 and was admitted to practice law in Florida in 1976. He is also admitted to practice and is in good standing before the following federal courts: the United States Supreme Court, U.S. Court of Appeals, Second Circuit; U.S. Court of Appeals, Fifth Circuit; and U.S. Court of Appeals, Eleventh Circuit.

3. Mr. Amery is admitted to practice and is a member in good standing of the bars of the States of New York and New Jersey. Mr. Amery was admitted to practice law in New York in 1975 and was admitted to practice law in New Jersey in 1980. He is also admitted to practice and is in good standing before the following federal courts: U.S. District Court, Eastern District of New York; U.S. District Court, Southern District of New York; U.S. Court of Appeals, Second Circuit; and U.S. Court of Appeals, Third Circuit.

4. Mr. Wolper is admitted to practice and is a member in good standing of the bar of the State of Florida. Mr. Wolper was admitted to practice law in Florida in 2005.

5. Attached to this motion is an Affidavit of Mr. Falk, Mr. Amery and Mr. Wolper. Also attached to this motion are the proposed Appearances of Mr. Falk, Mr. Amery and Mr. Wolper, which are tendered to the clerk for filing when and if allowed by this court.

6. The required filing fees are being tendered to the court.

WHEREFORE, Defendants pray for entry of an Order granting Bennett Falk, Brian Amery and Matthew Wolper leave to appear *pro hac vice* as additional attorneys for Defendants in this case.

Respectfully submitted,

s/Lee B. McTurnan

s/Anne L. Cowgur

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Attorneys for Defendants Hennessee Group, LLC,
Charles Gradante, and E. Lee Hennessee

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2006, a copy of the foregoing “Defendants’ Motion for Entry of an Order Granting Attorneys Leave to Appear *Pro Hac Vice*,” with attached Appearances of Bennett Falk, Brian Amery and Matthew Wolper, and the “Affidavit of Bennett Falk, Brian Amery and Matthew Wolper” were filed electronically. Notice of these filings will be sent to the following persons by operation of the Court’s electronic filing system. Parties may access this filing through the Court’s system.

David K. Herzog
Matthew T. Albaugh
Baker & Daniels
300 North Meridian Street, Suite 2700
Indianapolis, Indiana 46204

s/Anne L. Cowgur
An Attorney for Defendants Hennessee Group,
LLC, Charles Gradante, and E. Lee Hennessee